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JUL 12 2005
 For The Northern Mariana Islands
 By _____
 (Deputy Clerk)

6 Attorney for Defendant

7 **IN THE UNITED STATES DISTRICT COURT**
 8 **FOR THE**
 9 **NORTHERN MARIANA ISLANDS**

10 UNITED STATES OF AMERICA) CRIMINAL ACTION NO. 04-0009
 11 Plaintiff)
 12 v.)
 13 PEDRO Q. BABAUTA)
 14 Defendant) Date: August 12, 2005
 15) Time: 8:30 a.m.

16 **TO: THE UNITED STATES OF AMERICA AND ITS ATTORNEYS OF RECORD:**

17 **NOTICE**

18 Please be advised that on August 12, 2005 at 8:30 a.m. or as soon thereafter as possible,
 19 the court will hear defendant's motion for judgment of acquittal and new trial.

20 **MOTION**

21 Defendant hereby moves for a judgment of acquittal on count five and a new trial on
 22 counts four and five. This motion is based upon the memorandum of points of authorities filed
 23 herewith, and all documents and proceedings of record.

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25 By: 
 26 G. Anthony Long